

standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia, since the article when administered subcutaneously to guinea pigs had a minimum lethal dose of more than 0.00045 cubic centimeter, namely, not less than 0.002 cubic centimeter for each gram of body weight of guinea pig; whereas said pharmacopoeia provided that tincture of aconite should have a minimum lethal dose of not more than 0.00045 cubic centimeter for each gram of body weight of guinea pig, and the standard of strength, quality, and purity of said article was not declared on the container thereof. The article was alleged to be adulterated further in that its strength and purity fell below the professed standard and quality under which it was sold, since the article was represented to be tincture of aconite which conformed to the standard prescribed in the United States Pharmacopoeia; whereas the article was not tincture of aconite which conformed to said standard.

On June 11, 1936, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of \$25.

M. L. WILSON,
Acting Secretary of Agriculture.

26480. Adulteration of pituitary solution. U. S. v. G. W. Carnrick Co. Plea of guilty. Fine, \$200. (F. & D. no. 86977. Sample no. 36311-B.)

This case involved an interstate shipment of an article, labeled "Post. Pituitary", which had a potency less than one twenty-fifth of the potency prescribed for pituitary solution in the United States Pharmacopoeia.

On April 21, 1936, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the G. W. Carnrick Co., a corporation, Newark, N. J., charging shipment by said corporation in violation of the Food and Drugs Act, on or about January 8, 1935, from the State of New Jersey into the State of Massachusetts of a quantity of an article labeled "Post. Pituitary (Liquor Pituitarii)" which was adulterated.

The article was alleged to be adulterated in that it was sold under and by a name recognized in the United States Pharmacopoeia and differed from the standard of strength, quality, and purity as determined by the test laid down in said pharmacopoeia, since its potency was less than one twenty-fifth of the requirement of said pharmacopoeia and it was practically inert, and the standard of strength, quality, or purity of said article was not declared on the container thereof.

On May 29, 1936, a plea of guilty was entered on behalf of the defendant corporation and the court imposed a fine of \$200.

M. L. WILSON,
Acting Secretary of Agriculture.

26481. Misbranding of Jermite, A Poultry Tonic; Blu-V-Spray, and Jermite Wormer. U. S. v. 55 Bottles of Jermite, A Poultry Tonic, 60 Bottles of Blu-V-Spray, and 10 Bottles of Jermite Wormer. Default decree of condemnation and destruction. (F. & D. nos. 87192, 87193, 87194. Sample nos. 52713-B, 52714-B, 52715-B.)

These cases involved interstate shipments of Jermite, A Poultry Tonic, Blu-V-Spray, and Jermite Wormer, the packages and labels of which bore and contained false and fraudulent representations regarding the curative or therapeutic effects of the articles with respect to diseases of poultry.

On February 17, 1936, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 55 bottles of Jermite, A Poultry Tonic, 60 bottles of Blu-V-Spray, and 10 bottles of Jermite Wormer at Monroe City, Mo., alleging that the articles had been shipped in interstate commerce on or about September 17 and October 25, 1935, by Tim Lake Products, Inc., from Des Moines, Iowa, and that they were misbranded in violation of the Food and Drugs Act as amended.

Analysis of Jermite, A Poultry Tonic, showed that it consisted essentially of iron, copper, magnesium, and sodium sulphates, ferric salicylate, glycerin, oil of anise, and water. Analysis of Blu-V-Spray showed that it consisted of water with small amounts of formaldehyde, glycerin, menthol, thymol, eucalyptol, methyl salicylate, pine oil, salicylic acid, and a blue coloring matter. Analysis of the Jermite Wormer showed that it consisted of iron, copper, magnesium, and sodium sulphates, salicylic acid, oil of anise, oleoresin of aspidium, and water.

Jermite, A Poultry Tonic, was labeled in part: (Bottle) "Tonic * * * Diseased Poultry, * * * Severe Cases, * * * Loss of Appetite * * * Jermite helps keep the entire flock clean inside"; (shipping container) "Tonic * * * For healthier and stronger chicks use Jermite at all times. Jermite is an effective aid for digestive and many intestinal disorders, also simple diarrhea, bowel complaint, ordinary limber neck, swelled head and poisoning by moldy or spoiled foods"; (circular enclosed in shipping container) "Tonic * * * For healthier and stronger chicks use Jermite at all times. Jermite is an effective aid for digestive and many intestinal disorders, also simple diarrhea, bowel complaint, ordinary limber neck, swelled head, and poisoning by moldy or spoiled foods. * * * Smaller amounts of Jermite, or similar products, may prove insufficient to keep the flock in a good healthy, productive condition. * * * Diseased Poultry Severe Cases Loss of Appetite * * * You will find the Jermite-fed bird's intestines practically free from mucous, while the intestines of the bird not fed Jermite will be covered with mucous. * * * The Jermite-fed bird's intestines will be clean as those of a baby chick. * * * Jermite helps keep the entire flock clean inside. * * * Aids in producing 2 lb. fliers in 8 weeks. Acts as a preventative and relief for Diarrhea. Is an effective germicide. Reduces death loss. Cleanses intestinal tract. Controls and regulates the bowel system." Blu-V-Spray was labeled in part: (Bottle) "For Infectious Ailments of Head, Throat and Respiratory Organs * * * spraying house and chicks at least once a week and oftener if infected. * * * Gapes, Bronchitis, Intestinal Flu, Head Colds and other respiratory ailments—* * * Spray Directly on chickens, allowing them to inhale fumes two to four times daily, according to seriousness of infection. * * * Severe cases separate infected poultry while treating." The Jermite Wormer was labeled in part: (Bottle) "Wormer A liquid preparation containing ingredients used in cleaning the intestinal tract and bowel region of certain impurities including Pin, Round and Tape Worms. * * * Do not feed poultry heavily the day before you use Jermite Wormer. The day you use Jermite Wormer, pen the poultry up and put the Wormer in the drinking water. * * * Wormer * * * Keep this before the poultry one full day and then repeat, if necessary, each week for three weeks until satisfactory results have been obtained."

On May 9, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON,
Acting Secretary of Agriculture.

26482. Adulteration and misbranding of Van-Tage. U. S. v. 30 Dozen Bottles of Van-Tage. Default decree of condemnation and destruction. (F. & D. no. 87199. Sample no. 80885-B.)

This case involved an interstate shipment of Van-Tage, the bottle of which and accompanying circulars bore and contained false and fraudulent statements regarding its curative or therapeutic effect.

On February 18, 1936, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 30 dozen bottles of Van-Tage at Salt Lake City, Utah, alleging that the article had been shipped in interstate commerce on or about December 30, 1935, by the Van-Tage Medicine Co., Inc., from Los Angeles, Calif., and that it was misbranded in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of potassium iodide (0.2 gram per 100 milliliters), pepsin (0.1 gram per 100 milliliters), extracts of plant drugs including aloe, glycerin, water, and flavoring material, preserved with salicylic acid.

The article was alleged to be misbranded in that the following statements regarding its curative or therapeutic effects, appearing upon and within the packages of the article falsely and fraudulently represented that the article was capable of producing the effects claimed: (Bottle label) "* * * In any decided sluggish condition, * * *"; (circular headed "Double-Action") "While the medicine is acting on your upper organs, * * * and bloodstream, * * *"; (circular headed "To the millions of Men and Women") design of a healthy man and the statements, "Yours For Health", "I've Made Millions of Sick People Feel Better! Here is a picture of the man who has